

REMARKS/ARGUMENTS

Claims 1-16 and 19-24 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

Allowable Subject Matter

The Applicant notes with appreciation the conditional allowance of claim 5. Applicant, however, believes that all pending claims are allowable in view of the arguments below.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-4, 6-16, and 19-24, are rejected under 35 U.S.C. § 103(a) as unpatentable over Bhagwat et al. (US 6563517) in view of Ferguson (US 20020178232).

Bhagwat discloses dynamically adjusting transcoding parameters so as to increase the benefits of transcoding. Methods of adaptation are designed to cope with the variability of network characteristics and of the size of transcoded images. The invention also provides a method and apparatus to enable the transcoding proxy to adjust a quality-size tradeoff on a per-image and/or a per-client basis. The adaptive transcoder chooses different parameters for each object, and provides performance improvements. The invention further provides a general framework for making policy decisions taking into account available bandwidth, content and type of image, and user preferences. The invention also includes methods for generating feedback about the choice of optimal transcoding parameters to the user. (Bhagwat, Abstract)

Ferguson discloses an advertiser-supported interactive Web accelerator. It is a method for maximizing the use of available bandwidth while browsing the World Wide Web section of the Internet, by allowing users to dynamically pre-select content to be viewed next. The method reduces or eliminates the waiting associated with using the World Wide Web. The method utilizes an interface which displays itself in

accompaniment with known Web browser software, onto which the user can dynamically select hyperlinks from a Web page displayed in the window of a browser by "dragging-&-dropping" them with a pointing device, such as a mouse. This procedure allows for the real-time background downloading of Web pages which the user designates as the next Web pages he/she wants to view, while he/she is viewing other content.; These dragged-&-dropped links are downloaded in the background according to a sophisticated schedule of bandwidth priority when the connection between the client and the server is idle, and stored in a cache on the user's hard drive as Q-Links. The Q-Links stored in the hard drive cache are presented in a list in the interface of the invention. When the user is ready to view the previously selected pages, the user can click on any of the Q-Links in the list, which displays that content directly from hard drive cache to the browser. Since the requested pages now come from the hard drive instead of from across the Internet, the method significantly reduces or eliminates the user's the wait time for downloading. The interface of the invention also has an area to display advertisements. The user can click on the advertisement and is transferred to that advertiser's Web page. These advertisements are rotated with periodic downloads from a head-end computer across the Internet. Additionally, the invention has a monitoring system to determine the user's utilization of the invention. Data concerning users' interactions with advertisements and Q-Links is reported from the invention with periodic uploads to a database stored in a head-end computer across the Internet. This data assists in the targeting of customized advertising and the selling of the advertising space. (Ferguson, Abstract)

The Examiner's attention is directed to the fact that Bhagwat and Ferguson fail to teach, disclose, or suggest "estimating traffic over a link, comprising a number of connections, between the intermediate component and the second component to determine whether the link is fully used before suspending a connection to avoid wasting available bandwidth", as recited in independent claims 1, 14, 19, 20, and 22.

The present invention, in one embodiment, discloses that proxy server 30 is thus configured such that it checks that the link 14 is fully used before suspending a connection 50 in order not to waste available bandwidth. A possible routine for

predicting if the link 14 is or will be partially idle includes comparing the average throughput (over the last N seconds) of all connections 50 going to the client 40 with the amount of data that is currently cached or buffered in the buffer 36 of the proxy server 30 (see FIG. 3) and is ready to be sent. Other and in particular simpler techniques for estimating the utilization of the link 14 could be implemented as well, especially if the available bandwidth on the link 14 is known by other means. (See Applicant's published Specification, ¶ [0088])

In contrast, Bhagwat teaches estimating bandwidth using bandwidth estimator 380 not "estimating traffic over a link" as recited in Applicant's independent claims. Applicant respectfully submits that there is a clear distinction between estimating bandwidth as taught by Bhagwat and "estimating traffic" as recited by Applicant's claims. Ferguson is cited only for its alleged teaching of prioritizing request and suspending connection to item. (See Office Action, Section 7) As such, Applicant respectfully submits that the combination of Bhagwat and Ferguson fails to teach what is recited by Applicant's independent claims.

Applicant respectfully submits that independent claims 1, 14, 19, 20, and 22 are patentable over the combination of Bhagwat and Ferguson. Claims 2-13, 15, 16, 21, 23, and 24 are patentable at least by virtue of depending from their respective base claim. Withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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